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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/901,788	07/09/2001	Edith H. Stern	101.039	9347

28062 7590 12/22/2003

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EXAMINER

PEREZ, ANGELICA

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 12/22/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/901,788

Applicant(s)

STERN ET AL.

Examiner

Angelica M. Perez

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: On page 9, line 6, "to" should be added to what it reads: " According one embodiment of the present invention,..."; On page 13, line 7, "allows" should be in place of "lets"; On page 19, line 7, location device "400" should be "1000" according to figure 10. On claim 23, "for" should be added to: "A medium storing instructions...". Appropriate corrections are required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Aburai (Aburai et al., US Pub. No.: 2002/0090953 A1).

Regarding claim 1, Aburai teaches of a method of facilitating operation of a mobile user device at a location (column 2, lines 21-24), comprising: determining a location policy associated with the location (e.g., "restricted areas"; column 6, lines 53-64); determining user device information associated with the mobile user device (e.g., place names of limited usage areas; column 6, lines 53-64); and arranging for the mobile user device to operate in accordance with the location policy and the user device information (e.g., alarm signal when entering a restricted area; column 2, lines 41-51).

Regarding claim 2, Aburai teaches all the limitations as stated in claim 1. He also teaches where determining the location policy comprises at least one of (i) retrieving a pre-stored location policy (column 7, lines 57-58), (ii) receiving an indication of the location policy from a location device (column 2, lines 41-45), (iii) evaluating a plurality of potential location policies (e.g. "power off" or "automatic answering mode"; column 8, lines 45-60), and (iv) receiving an indication of the location policy via a third-party service device (column 8, lines 5-9).

Regarding claim 3, Aburai teaches all the limitations as stated in claim 1. Moreover, Aburai teaches where the indication of the location policy comprises at least one of: (i) the location policy (e.g. usage limiting information; column 2, lines 20-24), (ii) a location identifier (column 5, lines 45-50), (iii) a policy identifier, (iv) a pointer to a location policy, and (v) payment information.

Regarding claim 4, Aburai teaches all the limitations as stated in claim 1. Also, Aburai teaches where the user device information comprises at least one of: (i) information associated with the mobile user device (e.g. "ID numbers of the communication devices"; column 7, lines 9-10), (ii) information associated with a user, (iii) a user device policy, (iv) a policy identifier, (v) a user device identifier, (e.g. "numeral values" and "symbols"; column 7, lines 16-19) vi) a user identifier, (vii) a user category, and (viii) payment information.

Regarding claim 5, Aburai teaches all the limitations as stated in claim 1. In addition, Aburai teaches where determining the user device information comprises at least one of: (i) retrieving pre-stored user device information (column 7, lines 47-50), (ii) receiving an indication of the user device information from the mobile user device (column 7, lines 50-53), and (iii) receiving an indication of the user device information via a third-party service device.

Regarding claim 6, Aburai teaches all the limitations as stated in claim 1. In addition, Aburai teaches where the arranging further comprises: comparing the location policy with the user device information (columns 5 and 6; lines 64-66 and 1-2, respectively).

Regarding claim 7, Aburai teaches all the limitations as stated in claim 1. Furthermore, Aburai teaches where the arranging further comprises: determining whether to apply the location policy based on the user device information (column 6, lines 51-66).

Regarding claim 8, Aburai teaches all the limitations as stated in claim 1. In addition, Aburai teaches where the arranging further comprises: negotiating a policy to be applied by the mobile user device (columns 9 and 10; lines 22-30 and 25-32, respectively).

Regarding claim 9, Aburai teaches all the limitations as stated in claim 1. Aburai also teaches verifying that the mobile user device operates in accordance with the location policy and the user device information (column 10, lines 25-40).

Regarding claim 10, Aburai teaches all the limitations as stated in claim 1. Also, Aburai further teaches of arranging for a user to receive a notification associated with operation of the mobile user device in accordance with the location policy and the user device information (columns 3 and 4; lines 62-66 and 1-7, respectively).

Regarding claim 11, Aburai teaches all the limitations as stated in claim 1. In addition, Aburai teaches where the location is associated with at least one of: (i) proximity to a location device (column 4, line 1), (ii) a location boundary (column 4, lines 46-61), (iii) a mobile location, (iv) a plurality of locations (column 1, lines 13 and 14), (v) an event time, (vi) an event area (column 1, line 14), (vii) an education area, and (viii) a health care area (column 4, line 2).

Regarding claim 12, Aburai teaches all the limitations as stated in claim 1. In addition, Aburai teaches where the mobile user device comprises at least one of: (i) a mobile computing device, (ii) a personal digital assistant (column 5, line 26), (iii) a communication device, (iv) a wireless telephone (column 5, line 25), (v) a pager, (vi) an

information storage device, (vii) an audio recording device, and (viii) an image recording device.

Regarding claim 13, Aburai teaches all the limitations as stated in claim 1. Further, Aburai teaches where the operation of the user device is associated with communication via at least one of: (i) a wireless network (i.e. "mobile communication system" column 1, lines 60-61), (ii) a wireless local area network, (iii) an infrared radiation network, (iv) a communication network, (v) a Bluetooth network, and (vi) an 802.11 network.

Regarding claim 14, Aburai teaches all the limitations as stated in claim 1. Furthermore, Aburai teaches where the arranging is performed by a location device (i.e., "information control center"; column 3, lines 64-66).

Regarding claim 15, Aburai teaches all the limitations as stated in claim 1. In addition, Aburai teaches where the arranging is performed by the mobile user device (columns 3 and 4; lines 64-66 and 1-7, respectively).

Regarding claim 16, Aburai teaches all the limitations as stated in claim 1. Also, Aburai teaches where the arranging is performed by a third-party service device (column 5, lines 9-23).

Regarding claim 18, Aburai teaches all the limitations as stated in claim 1. Aburai further teaches where the operation of the mobile user device is associated with at least one of: (i) receiving information (column 15, lines 4-5), (ii) storing information (column 15, line 38), (iii) transmitting information (column 15, lines 6 and 7), and (iv) providing information to a user.

Regarding claim 19, Aburai teaches all the limitations as stated in claim 1. Aburai further teaches of a computer-implemented method of facilitating operation of a wireless communication device at a location, comprising (e.g., control program utilizing code; column 16, lines 1-24): establishing a location policy associated with the location (e.g., limited range of usage; column 16; lines 6-12); receiving a device policy from the wireless communication device (e.g., position information; column 16, lines 14-17); comparing the location policy with the device policy (column 16, lines 17-20); and transmitting information to arrange for the wireless communication device to communicate in accordance with the location policy and the device policy (i.e., "outputting usage information"; column 16, lines 20-24).

Regarding claim 20, Aburai teaches all the limitations as stated in claim 1. In addition, Aburai teaches of an apparatus, comprising: a processor (figure 2, items 202); and a storage device (figures 2, items 203, 204, 205, 206, 207) in communication with said processor and storing instructions adapted to be executed by said processor to: determine a location policy associated with a location (column 5, lines 45-51); determine user device information associated with a mobile user device (columns 5 and 6; lines 64-66 and 1-2, respectively); and arrange for the mobile user device to operate in accordance with the location policy and the user device information (column 6, lines 4-10).

Regarding claim 21, Aburai teaches all the limitations as stated in claim 20. In addition, Aburai teaches where the storage device further stores at least one of: (i) a user device policy database (figure 2, item 206), (ii) a user device operation status

database(, (iii) a location policy database (figure 2, item 205), and (iv) a location operation status database (figure 2, item 207).

Regarding claim 22, Aburai teaches all the limitations as stated in claim 1. Aburai further teaches of the apparatus further comprising: a communication device (figure 2, item 201) coupled to said processor (figure 2, item 202) and adapted to communicate with at least one of: (i) a user device (column 5, lines 39-41), (ii) a location device (figure 2, items 201 and 204), (iii) a third-party service device, and (iv) a payment device.

Regarding claim 23, Aburai teaches all the limitations as stated in claim 1. Aburai also teaches of a medium storing instructions (e.g. "code" column 16, lines 1-24) adapted to be executed by a processor (i.e., "CPU"; figure 2, item 202) to perform a method of facilitating operation of a mobile user device at a location, the method comprising: determining a location policy associated with the location (column 16, lines 18-21); determining user device information associated with the mobile user device (column 16, lines 6-12); and arranging for the mobile user device to operate in accordance with the location policy and the user device information (column 16, lines 20-24).

Regarding claim 24, Aburai teaches all the limitations as stated in claim 1. In addition, Aburai teaches of a method of facilitating operation of a mobile user device at a location, comprising (columns 13 and 14; lines 63-66 and 1-19): determining a user device policy associated with the mobile user device (column 14, lines 1-5); determining location information associated with the location (column 14, lines 5-7); and arranging

for the mobile user device to operate in accordance with the user device policy and the location information (column 14, lines 12-19).

Regarding claim 25, Aburai teaches all the limitations as stated in claim 1. Aburai further teaches a method of facilitating operation of a mobile user device at a location, comprising (column 2, lines 21-39): determining a location policy associated with the location (e.g., "usage limiting information"; column 2, lines 21-24); determining a user device policy associated with the mobile user device (column 2, lines (e.g., "its usage limit"; column 2, lines 26-30); and arranging for the mobile user device to operate in accordance with at least one of: (i) the location policy (column 2, lines 35-36), and (ii) the user device policy (column 2, lines 30-32).

Regarding claim 26, Aburai teaches all the limitations as stated in claim 1. Aburai further teaches of a method performed by a third-party service to facilitate operation of a mobile user device at a location, comprising (E.g., "GPS"; column 11, lines 41-55): receiving an indication of a location policy associated with the location (e.g., "utilization-information database"; column 11, lines 45-46); receiving user device information associated with the mobile user device (column 11, lines 42-44); and transmitting information to arrange for the mobile user device to operate in accordance with the location policy and the user device information (e.g., "changing mode of mobile device to prohibitive mode"; column 11, lines 51-55).

Regarding claim 27, Aburai teaches all the limitations as stated in claim 26. Moreover, Aburai teaches where the user device information comprises location information (column 11, lines 42-44).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 17 rejected under 35 U.S.C. 103(a) as being unpatentable over Aburai in view of Linkola (Linkola, Janne; Patent No. US 6,516,190 B1).

Regarding claim 17, Aburai teaches all the limitations as stated in claims 1.

Aburai does not teach of arranging for a third-party service to exchange payment associated with at least one of: (i) a user and (ii) a location.

In related art regarding mobile communication systems, Linkola teaches of arranging for a third-party service to exchange payment associated with at least one of (column 6, lines 4-20): (i) a user (e.g., "current location of the mobile station"; column 6, lines 12-15) and (ii) a location (column 6, lines 16-20).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Aburai's method of facilitating operation of a mobile user device at a location and Linkola's third-party service to exchange payment associated with at least one of: (i) a user and (ii) a location.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

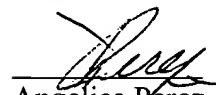
Pub. No.: US 2001/0031631 A1, relates to limiting mobile communications within limited areas.

Patent No.: US 6,249,674 B1, deals with disabling termination restrictions of mobile subscriber units.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angelica Perez whose telephone number is 703-305-8730. The examiner can normally be reached from 7:15 a.m. - 3:45 p.m., Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached at 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600's customer service number 703-306-0377.


Angelica Perez
(Examiner)




Nay A. Maung
(SPE)
Art Unit 2684

December 3, 2003